UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/49/181
20 June 1994

ORIGINAL: ENGLISH

Forty-ninth session
Item 65 (b) of the preliminary list*

REVIEW AND IMPLEMENTATION OF THE CONCLUDING DOCUMENT OF THE TWELFTH SPECIAL SESSION OF THE GENERAL ASSEMBLY: CONVENTION ON THE PROHIBITION OF THE USE OF NUCLEAR WEAPONS

Letter dated 17 June 1994 from the Permanent Representative of India to the United Nations addressed to the Secretary-General

Enclosed herewith is a submission made by India earlier this month to the International Court of Justice, following a World Health Assembly resolution adopted last year requesting an advisory opinion on the health and environmental effects arising out of the use of the nuclear weapons (World Court case on the legality of the use of nuclear weapons) (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly under item 65 (b) of the preliminary list.

(Signed) M. H. ANSARI
Ambassador
Permanent Representative

* A/49/50/Rev.1.

ANNEX

Submission made by India to the International Court of Justice in June 1994, following a World Health Assembly resolution adopted in 1993 requesting an advisory opinion on the health and environmental effects arising out of the use of nuclear weapons (World Court case on the legality of the use of nuclear weapons)

The existence of nuclear weapons poses a threat to the very survival of mankind. While the end of the cold war has ushered in some positive developments, the shadow of a nuclear holocaust continues to loom over us. It is, therefore, imperative that nuclear weapons be eliminated. A first step in this direction would be to outlaw the use of such weapons.

United Nations General Assembly resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981 have declared that the use of nuclear weapons would be a violation of the Charter and a crime against humanity.

In 1978, India called for a total prohibition of the use of nuclear weapons on these grounds. Since 1982, we have tabled a resolution calling for a Convention on the Prohibition of the Use of Nuclear Weapons; the latest resolution adopted by the United Nations General Assembly was resolution 48/76 B of 16 December 1993 entitled "Convention on the Prohibition of the Use of Nuclear Weapons". Since the international community has agreed that the use of nuclear weapons constitutes a crime against humanity and a violation of the Charter, it follows that the use of such weapons has already been generally accepted as illegal.

International humanitarian law, including the Hague Conventions, the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977, prohibit indiscriminate killing or the use of weapons of mass destruction which make it impossible to observe the fundamental distinction between combatants on the one hand, and non-combatants and protected persons and places on the other. Therefore, the use of nuclear weapons is a violation of international humanitarian law.

Reports of the World Health Organization published in 1984 and 1987 on the effects of nuclear war have clearly established that even a limited nuclear conflict, which is a contradiction in terms, will wreak unlimited damage, causing human suffering and environmental destruction on an unprecedented scale. The devastation that would be caused by the use of nuclear weapons is totally out of proportion to the role claimed for it in the defence of the national security of a handful of States. These weapons threaten human existence.

The International Court of Justice is invited to confirm the generally accepted view among nations that the use of nuclear weapons is illegal.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/49/182
20 June 1994
ENGLISH
ORIGINAL: RUSSIAN

Forty-ninth session
Item 104 of the preliminary list*

HUMAN RIGHTS QUESTIONS

Letter dated 20 June 1994 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

In accordance with General Assembly resolution 48/155 of 20 December 1993, I have the honour to inform you of Russia's position regarding the adoption of the law on citizenship in second reading by the Saeima of the Republic of Latvia on 9 June 1994.

The approval of the law, coming after the earlier enactment by the legislators of other laws which discriminate against the Russian-speaking population (on State service, on electioneering, additions to the law on the entry and stay of aliens, on the police), confirms the fears repeatedly expressed by the Russian Federation that the Latvian authorities are deliberately pursuing a policy of establishing a mono-ethnic State, and in so doing are purposely disregarding the actual situation in Latvia, the opinion of international experts and the recommendations of the Conference on Security and Cooperation in Europe, of the High Commissioner, Mr. van der Stoel, and of the Council of Europe regarding the situation of the non-indigenous population of Latvia.

The provisions of the law essentially consolidate the principle of naturalization quotas which has been rejected by international experts. According to the calculations of experts, only about one quarter of the approximately 800,000 non-citizens can expect to acquire citizenship of the Republic of Latvia by the year 2000. All the others will be accorded only the right to apply for citizenship in the twenty-first century on the basis of a quota not exceeding 0.1 per cent of the total number of citizens in the previous year, i.e., no more than 2,000 people a year.

* A/49/50/Rev.1.

Furthermore, the law does not contain clear time-frames for considering applications for citizenship, and does not ease, but actually tightens the requirements for compulsory examinations in the Latvian language, and also in the Constitution and history of Latvia.

It is significant that the law enshrines the principle of discrimination on grounds of nationality. Estonians and Lithuanians are granted a preferential regime for the priority submission of applications for naturalization up to 1 January 1996, while persons of other nationalities are denied such privileges.

The law therefore contains an additional mechanism for obstructing the naturalization process. It also maintains an extensive list of persons who are denied citizenship, opening the way for arbitrary actions. Thus the Latvian authorities are flagrantly disregarding the universally recognized standards in the area of human rights enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Convention on the Reduction of Statelessness, not to mention the specific recommendations of international experts regarding Latvia to the effect that it is inadmissible for a situation to emerge whereby a significant proportion of the permanent residents of Latvia, including persons who were born there and wish to have citizenship, would become stateless through a caprice of the authorities.

The adoption of this law would reduce the prospects of developing an intercommunity dialogue and of achieving civil harmony in Latvian society, and would have an adverse effect on stability in the region and in Europe.

We call upon all States and international organizations to speak out with authority and prevent the adoption in Latvia of a law on citizenship which could have a very negative effect on the future of hundreds of thousands of permanent residents of Latvia and on their political, social and economic rights.

I should be grateful if you would have the text of this letter circulated as an official document of the General Assembly under item 104 of the preliminary list.

(Signed) Y. VORONTSOV

UNITED NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/49/183
S/1994/733
21 June 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Item 104 (c) of the preliminary list*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Forty-ninth year

Letter dated 20 June 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the Statement of the Ministry of Foreign Affairs of the Federal Republic of Yugoslavia on the forcible eviction and resettlement of Serbs and Montenegrins in Albania.

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under item 104 (c) of the preliminary list, and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

* A/49/50/Rev.1.

ANNEX

Statement issued by the Ministry of Foreign Affairs of the Federal Republic of Yugoslavia on 17 June 1994

The Yugoslav public is concerned over the information that Albanian authorities attempted to forcibly evict the members of the Serb and Montenegrin minority - Vracani and Podgoricani - from the villages of Stari and Mladi Boric in which they have lived from time immemorial. According to the available information, Albanian authorities tried to take over their houses and land by force and to resettle them in other localities.

Of particular concern is the fact that the Albanian Police used force in this attempt, injuring a number of persons, women and children among them. This act provoked wide concern among the members of the Serb and Montenegrin minority and Goranci as yet another piece of evidence of the escalation, pressure and lack of readiness of Albanian authorities to recognize and respect the inalienable rights of national minorities in their territory.

The Federal Ministry of Foreign Affairs points out with concern the fact that Albania has been forcibly resettling the members of the Serb and Montenegrin minority under the pretext of a new administrative division of the State territory, the aim of which is to settle Albanians from the regions of Dukadjin and Malessia on the property of Serbs, Montenegrins and Goranci. This is a calculated policy, aimed at breaking up the ethnic compactness of Serbs, Montenegrins and Goranci in Albania, especially in the territory towards the Yugoslav-Albanian border, at stepping up physical and psychological pressure on them and accelerating in that way their systematic assimilation.

By such behaviour Albanian authorities flagrantly violate human and civic rights - the right to physical integrity, free choice of place of residence and the inviolability of personal and private property - which is in flagrant contravention of Albania's commitments as a State Member of the United Nations and member of the Conference on Security and Cooperation in Europe.

The Federal Ministry of Foreign Affairs calls on Albanian authorities to stop the pressure against the members of the Serb and Montenegrin national minority and against Goranci and to desist from the plan on the forcible resettlement of Vracani and Podgoricani. The Federal Ministry of Foreign Affairs expects Albania to respect the rights of the members of the Serb and Montenegrin national minority in accordance with its obligations under the relevant documents of the Conference on Security and Cooperation in Europe.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/49/184
21 June 1994

ORIGINAL: ENGLISH

Forty-ninth session
Items 83 and 88 of the
preliminary list*

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS

QUESTION OF EAST TIMOR

Note verbale dated 20 June 1994 from the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General

1. With reference to the note of the Secretary-General dated 29 March 1994 (TR 100 (2) GEN), the Permanent Representative of Portugal to the United Nations has the honour to call his attention to the information provided by the Mission in its note verbale dated 5 April 1993 (A/48/130), as required by Article 73 e of the Charter of the United Nations, the terms of which remain valid.

2. Since the Government of Portugal continues to be prevented de facto from exercising its responsibilities for the administration of the territory of East Timor, owing to the latter's illegal occupation by a third country thus preventing its people from exercising freely their right to self-determination, it remains unable to provide information concerning that territory under Article 73 e of the Charter. Nevertheless, the Government of Portugal would like to draw attention to the following.

3. Regarding the situation prevailing in the territory, in general, no significant improvement has been reported in spite of all the pledges made by the Indonesian authorities. Reports coming from different sources, including information regarding the action taken by Special Rapporteurs and Working Groups of the Commission on Human Rights concerning East Timor (documents E/CN.4/1994/7, E/CN.4/1994/26, E/CN.4/1994/27 and E/CN.4/1994/31), statements by Monsignor Belo, the apostolic administrator of Dili, and, very recently, assessments made by a party of 26 international journalists who were invited to

* A/49/50/Rev.1.

visit the territory by the occupation's authorities, converge in denouncing a situation that still justifies the gravest concern of the international community.

4. Moreover, the trial process of the imprisoned East Timorese leader, Xanana Gusmão, captured in Dili on 20 November 1992, besides its illegitimacy, was carried out with no guarantees of impartiality and objectivity and in disregard not only of the principles of the Charter of the United Nations and of international law, but also of the safeguards provided by Indonesia's own procedure penal law. It appears, therefore, that the reduction of Xanana Gusmão's prison term from life imprisonment to 20 years was an inappropriate response by Indonesian authorities to harsh international criticism over a trial considered to be a travesty of justice. Mr. Gusmão has lately denounced the unfairness of his trial, asked for a re-trial in an international court and expressed his wish to consult with lawyers of the Indonesian Legal Aid Institute (LBH). However, Indonesia continues to prevent Xanana Gusmão from meeting LBH lawyers.

5. During its last session, in August 1993, the Subcommission on the Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, adopted resolution 1993/12, entitled "Situation in East Timor", in which, once again, deep concern was expressed over the reports of continuing human rights violations in East Timor.

Subsequently, the United Nations Commission on Human Rights, at its fiftieth session (February-March 1994), having before it a report of the Secretary-General pursuant to the resolution of the previous session (E/CN.4/1994/61), adopted by consensus a Chairman's statement on the human rights situation in East Timor, which contains important provisions that could lead to an effective improvement of the prevailing situation in that territory, if duly implemented.

By that statement, the Commission, inter alia, calls for an investigation into the fate of the East Timorese who are still unaccounted for as a result of the 12 November 1991 killings and into the circumstances surrounding that event, which were never clarified; for the taking of measures aimed at an early release of those convicted; for greater access to the territory; and for increased cooperation by Indonesia with the Commission on Human Rights and its subsidiary organs, consisting namely in the forthcoming visit to East Timor, in June 1994, by the Special Rapporteurs on Extrajudicial, Summary or Arbitrary Executions and the invitations to be extended to other relevant thematic special rapporteurs and/or working groups to visit the territory when necessary for the fulfilment of their duties.

6. The Secretary-General held a fourth round of talks at Geneva on 6 May 1994 with the Foreign Ministers of Portugal and Indonesia, in the context of the ongoing efforts under his auspices to seek a just, comprehensive and internationally acceptable settlement to the question of East Timor.

7. At the end of that meeting a statement was issued containing important dispositions in relation to the implementation of the recommendations contained in the Chairman's statement on the human rights situation in East Timor, adopted

last March by the Human Rights Commission at Geneva, as well as to the efforts to be undertaken by the Secretary-General of the United Nations with a view to facilitating an all-inclusive intra-Timorese dialogue as an important contribution to his endeavours. In that context, both Ministers agreed to meet with leading East Timorese supporters and opponents of integration, respectively.

8. In addition to those reports, a number of official United Nations documents have been circulated regarding the situation prevailing in East Timor. It would be worth recalling here those documents and their references:

(a) Note verbale dated 21 May 1993 from the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General (A/48/175-S/25819);

(b) Letter dated 28 July 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General (A/48/282).

9. The Permanent Representative of Portugal to the United Nations has the honour to request that the present note verbale be circulated as an official document of the General Assembly under items 83 and 88 of the preliminary list.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/49/185
21 June 1994
ENGLISH
ORIGINAL: SPANISH

Forty-ninth session
Item 59 of the preliminary list*

COMPREHENSIVE TEST-BAN TREATY

Letter dated 20 June 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Argentina to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the text of a press release issued by the Argentine Government concerning the nuclear test conducted by the People's Republic of China on 10 June 1994 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under item 59 of the preliminary list.

(Signed) Raul A. RICARDES
Ambassador
Deputy Permanent Representative

* A/49/50/Rev.1.

ANNEX

Press release dated 17 June 1994 from the Ministry of Foreign Affairs, International Trade and Worship of Argentina

The Argentine Republic joins in the strong international protest against the explosion of a nuclear device by the People's Republic of China on 10 June 1994. This test is detrimental to the consolidation of international peace and security.

Argentina has actively supported a nuclear test ban in international disarmament forums as part of its policy of non-proliferation of weapons of mass destruction. The detonation of nuclear weapons represents a setback to the efforts to negotiate a comprehensive nuclear test-ban treaty, the conclusion of which Argentina firmly supports.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/49/186
22 June 1994

ORIGINAL: ENGLISH

Forty-ninth session
Items 103 and 104 (c) of the
preliminary list*

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 22 June 1994 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of an appeal made by the Catholic bishops of the Republic of Croatia and the Republic of Bosnia and Herzegovina (see annex).

I would be grateful for your kind assistance in circulating the present letter and its annex as an official document of the General Assembly under items 103 and 104 (c) of the preliminary list.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

* A/49/50/Rev.1.

ANNEX

Appeal made at Zagreb on 9 June 1994 by the Catholic bishops of Croatia and Bosnia and Herzegovina following a joint meeting on 7 and 8 June 1994

We have already on several occasions presented our concern and calls to the world public in the name of all who suffer and in the name of the people without rights in our dioceses. Once again we raise our voice, determined to defend human and civil rights and the freedom of all our believers and all other peoples without rights.

In particular, we wish to alert the domestic and world public, all the Bishops' Conferences of Europe and the world and all other ecclesiastical institutions, humanitarian organizations, as well as all State and political forums of the increasingly dramatic situation of Catholics living on the occupied territories of Bosnia and Herzegovina and the Republic of Croatia.

It is a bitter and painful fact that, before the very eyes of Christian and democratic Europe, three Catholic dioceses are being destroyed: Banja Luka, Sarajevo and Trebinje. Innocent and unprotected members of the Catholic Church are suffering the worst humiliations, prosecutions and very often murders. They are without elementary human rights and freedoms, surrendered to the force of outlaws and to the terror of persecutors. They are forced to leave the homes where they lived for centuries and to go elsewhere, most often to uncertainty.

Before the start of the war in 1991, Vrhbosna, the Archdiocese of Sarajevo, had 528,000 Catholics among its 144 parishes. In this war, about 350,000 have been expelled by force, 45 per cent of the churches have been destroyed and 30 per cent heavily damaged. The remaining believers live under pressure and in great uncertainty.

In the diocese of Mostar-Duvno and Trebinje-Mrkan, out of the pre-war population of 210,000 Catholics, 25,000 have been expelled and the major part of the diocese is inaccessible. Over 40 churches and church buildings have been destroyed or damaged.

The diocese of Banja Luka, which had 110,000 Catholics before the war, is in real danger of having religious life completely destroyed in four fifths of its territory. Fifty per cent of the churches and other religious objects had already been destroyed, 45 per cent of the remaining churches and religious objects are heavily damaged to a greater or lesser degree and three quarters of the believers have been expelled by force or left to fend for themselves. Catholics are being expelled in spite of the fact that there was no fighting on this territory and that Catholics behaved peaceably during the whole period of the war in Bosnia and Herzegovina.

If this terror is not stopped, the above-mentioned dioceses will be destroyed. Their history in Bosnia and Herzegovina goes back a thousand years.

The same thing will happen in the parts of the dioceses located on the territory of the Republic of Croatia, where it is forbidden for bishops to visit parishes and where 115 parishes have been destroyed and devastated, and 245,000 Catholics expelled, together with their priests, friars and nuns.

We invite all of you to raise your voices, finally to put a stop to lawlessness, cruelty and devastation and to help correct injustice.

We hope that hundreds of millions of Catholics and other Christians, united in prayer and Christian solidarity, will find a way to reach the most important international instances, so that a united Europe could remove this terrible moral disgrace from itself.

We shall intervene without respite for dignity and in the defence of the human and civil rights of nations, minorities and other people, for the achievement of a just peace, which signifies the right of all refugees to return to their homes and the right to lead the dignified life of civilized men.

We thank all the benefactors and all others who have helped us bear all these sufferings.

Franjo Cardinal KUHARIĆ
Archbishop of Zagreb and
President of the Croatian Bishops' Conference

Mons. Vinko PULJIĆ
Archbishop of Vrhbosna

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/49/187
23 June 1994
ENGLISH
ORIGINAL: RUSSIAN

Forty-ninth session
Item 72 of the preliminary list*
MAINTENANCE OF INTERNATIONAL SECURITY

Note verbale dated 20 June 1994 from the Permanent Mission of Kazakhstan to the United Nations addressed to the Secretary-General

The Permanent Mission of the Republic of Kazakhstan to the United Nations presents its compliments to the Secretary-General of the United Nations and, on the instructions of the Government of the Republic of Kazakhstan, has the honour to transmit a draft by Mr. N. A. Nazarbaev, President of the Republic of Kazakhstan, entitled "On the establishment of a Eurasian Union of States", which was officially submitted to the heads of State of the Commonwealth of Independent States on 7 June 1994, and requests that the draft be circulated as an official document of the General Assembly under item 72 of the preliminary list.

* A/49/50/Rev.1.

ANNEX

Draft by the President of the Republic of Kazakhstan entitled "On the establishment of a Eurasian Union of States"

At the present time all the countries of the Commonwealth of Independent States (CIS) are continuing to experience a deep-seated crisis in all spheres of public life - economics, politics, ideology, relations between nations, and socio-economic tension is growing. This is taking place at a time when the development of CIS is characterized by two trends. On the one hand, there is a continuing affirmation of national statehood, and on the other, a trend towards the integration of the countries of the Commonwealth.

CIS, as an inter-State association, is playing a positive role in the legal formalization of the inter-State relations of its member countries. The potential for action by CIS has not been exhausted. However, the current structure of CIS bodies does not make it possible to take advantage of the existing potential for integration to the fullest extent. This is being noted not only by the leaders of the Commonwealth countries, but also by the majority of the population of these States.

The experience of past years of operation of CIS demonstrates the need to proceed to a new level of integration at which compliance by all member States with jointly accepted obligations is ensured.

International practice shows that any inter-State association passes through various stages in its development and is enhanced by new forms of cooperation. CIS has substantial advantages - a high level of integration of the economy, similar socio-political structures and mentality of the population and also the multinational composition of most of the republics and common historical traditions.

All this demonstrates the need to combine the process of national State building with the maintenance and development on this basis of inter-State integration processes. The logic of history is such that integration in the world community is possible only through the joint efforts of all the countries of the Commonwealth, making use of the powerful potential for integration formed over the decades.

Current conditions show that while the mechanisms of CIS can be improved, CIS should not be regarded as the only form of association. As has been shown in practice, the further development of the CIS countries is being hampered by the inadequate internal potential in each of them. The development of that potential is possible only through the economic integration of the countries of the post-Soviet area on a new market basis.

The inherited structures of a single national economic complex are continuing to weaken. Obsolete forms of economic ties are disappearing. At the same time, the technological ties that have developed, which correspond to the economic interests of our countries in the near and distant future, are being fractured.

Market reforms follow universal laws. No country can ignore them without falling into economic romanticism. Efforts must be combined to bring about the market reform of the economies of the countries of the former Soviet Union on the basis of the close economic ties already formed over decades.

As world practice shows, it is only through collective efforts that the transition societies will be able to achieve successful modernization. It is apparent that the efforts that individual CIS countries are continuing to make to resolve this problem are still unsuccessful. They will remain so until economic integration is achieved under new conditions. Meanwhile, it has become obvious that reorientation efforts in regional economic associations in distant lands are unrealistic.

Lack of coordination of pricing policies for exported raw materials has become a serious problem for States and is having an adverse effect on their economic situation. At the same time, this introduces an element of instability into long-standing world economic ties and forces third countries to adopt harsh sanctions. The export of raw materials and energy products is the most important source of income for our States. Thus the need has arisen for a unified export policy of the CIS countries in the interests of all the member States and the adoption of strict measures in the event of non-observance by any country of the agreed quotas and prices.

An important element in ensuring the successful implementation of market reforms is improvement of the national legislations of the CIS countries. Further modernization is impossible without bringing the legislative foundations of economic activity closer together, since the present differences between them are becoming a serious obstacle to integration processes in the economy.

Taking into consideration the differences between countries in respect of levels of market economic development and democratization of political processes, we propose the establishment of an additional integration structure - a Eurasian Union, which would complement the work of CIS. This takes into account the multifaceted nature of integration, different tempos, and the variety and diversity in the development of the CIS States. It can be said that there is an urgent need to establish a new economic order in CIS. The goal is the coordination of economic policy and the adoption of joint programmes of economic reforms for mandatory implementation by member States.

The socio-economic and political crisis is taking place against the background of the multinational composition of the population of virtually all the CIS States. As a result, inter-ethnic tension is growing, not only leading to intra-State tension, but also, in a number of case, developing into inter-State conflicts. This situation undermines the very structure of the Commonwealth of Independent States. Consequently, mechanisms for the containment, localization and eradication of conflicts of various kinds must be worked out through joint efforts.

Currently all the CIS countries are searching for types of State structure which are suited to internal conditions. However, as practice has shown, neither the unitary nor the federal States of CIS can be considered fully stable.

In order to resolve the issues of economic integration, political institutions need to be established which possess a sufficient range of powers. They must have the function of regulating relations among States in the economic, political, legal, environmental, cultural and educational spheres.

Thus, the time has come to eliminate the obstacles to cooperation at a higher level and at the same time establish the instruments that are required.

Currently a process of disintegration in the sphere of science, culture and education is taking place. The once-unified cultural and educational area is being fragmented. In these circumstances, the assertion that "science knows no boundaries" has no meaning. Against a background of intensifying socio-economic difficulties, there is a sharp increase in the outflow of specialists from the spheres of science, culture and education, a reduction of intellectual potential, and a decline in the level and quality of education. These processes lead not only to the breakdown of a once unified system, but also to isolation from the cultural and scientific achievements of world civilization.

Meanwhile, the efforts to intensify the processes of integration in the economy and politics should be based on the maintenance and development of an agreed policy in the sphere of culture, education and science. The internationalization of the processes of the acquisition and practical application of new knowledge must be maintained and strengthened. The integration of research and development in the scientific and technical sphere has become an inseparable part of the globalization of industrial activity in general.

The isolation of the post-Soviet area from the world cultural and scientific community poses the risk of a further lag in the technological sphere.

One of the key tasks for new States is to ensure territorial integrity and security. Currently, the post-Soviet area is a zone of instability, with an accumulation of conflicts of various types; it also experiences the influence of hotbeds of tension outside CIS. The protection of external borders and the stabilization of the situation in regions of conflict can be achieved only through the joint efforts of all the States concerned and requires a coordinated approach of the parties to the range of defence issues.

The problem of environmental security remains as one of the urgent and unresolved problems in the CIS countries. Environmental constraints derive from a number of causes. They include the consequences of nuclear weapons tests, the operation of atomic power stations, the pollution of the environment by industrial waste, and the degradation of the natural environment as a result of the economic activity of man (drying out of water basins, deforestation, soil erosion and so forth).

These problems are urgent for virtually all the CIS countries, particularly since the main areas if environmental damage, as a rule, are situated in border regions. They are the result of a common technological base, and common methods of conducting economic activity, based on extensive control. Today it is impossible to resolve any of these problems through the independent efforts of

one State, even the largest State. The preservation of the environment is a global task requiring major capital investment and the coordination of the efforts of all States.

A draft for the establishment of the new integration association with the provisional name "The Eurasian Union" (EAU) follows.

THE EURASIAN UNION (EAU)

1. EAU is a union of equal independent States designed to achieve the national State interests of each member country and having combined potential for integration. EAU is a means of integration of sovereign States with the goal of strengthening stability and security and enhancing socio-economic modernization in the post-Soviet area.

2. Economic interests determine the foundations for the drawing together of independent States. The political institutions of EAU must adequately reflect these interests and contribute to economic integration.

I. Principles of association

3. The following principles and mechanism for the establishment of the Eurasian Union are proposed:

(a) The holding of national referendums or decisions of parliaments regarding entry of States to EAU;

(b) The signing by States Parties of a Treaty on the establishment of EAU on the basis of the principles of equality, non-interference in each other's internal affairs, respect for sovereignty, and the territorial integrity and inviolability of State borders. The Treaty must lay down the legal and organizational pre-requisites for achieving increased integration with a view to forming an economic, monetary and political union;

(c) No associate membership would be permitted in EAU;

(d) Decisions would be adopted in EAU on the basis of the principle of a valid 4/5 (four fifths) majority of the total number of member countries.

4. Independent States would enter EAU after fulfilling the preliminary requirements:

(a) Compulsory compliance with inter-State agreements entered into;

(b) Mutual recognition by State and political institutions of the member countries of EAU;

(c) Recognition of territorial integrity and the inviolability of borders;

(d) Renunciation of economic, political and other forms of pressure in inter-State relations;

(e) Halting of military actions between each other.

5. The entry of new countries into EAU would take place, after an expert conclusion had been issued regarding their readiness to join EAU, by a unanimous vote of all the members of EAU. The expert conclusion would be issued by a body formed on a basis of equality by the States which have agreed to become members of EAU.

6. The States of EAU would be able to participate in other integration associations, including CIS, through associated or permanent membership, or have observer status.

7. Each participant would be able to withdraw from EAU after notifying the other States at least six months before taking such a decision.

8. It is proposed that the following supranational bodies should be established:

(a) An EAU council of heads of State and heads of Government - the highest political management body of EAU. Each State member would chair EAU for six months, following the Russian alphabetical order.

(b) The supreme advisory and consultative body would be the EAU parliament. The parliament would be formed through the assignation of deputies from the parliaments of the States parties on the basis of equal representation of each member country or through direct elections. The decisions of the EAU parliament would enter into force after ratification by the parliaments of the EAU States. The question of ratification would be considered over a period of one month.

The basic function of the EAU parliament would be to coordinate the legislations of the member countries so as to bring about the development of a single economic area and resolve problems of the protection of the social rights and interests of man and joint respect for State sovereignty and the rights of citizens in the EAU States.

Through the EAU parliament, a common legal basis would be established regulating relations among economic entities of the member countries.

(c) An EAU council of foreign ministers to coordinate foreign policy.

(d) An EAU inter-State executive committee which would be a permanent executive and monitoring body. The director of the executive committee would be appointed alternately from representatives of member countries by the heads of State of EAU for a period determined by them. The executive committee would consist of representatives from all the member countries.

EAU, through its executive committee, would receive observer status in a number of major international organizations.

(e) An information bureau of the EAU executive committee. The adoption of a special obligation or law for member countries on the prohibition of unfriendly statements about States Parties to the Treaty which could harm the relations between them.

(f) A council on questions of education, culture and science. The establishment of an agreed educational policy, cultural and scientific cooperation and exchange, and joint activity in the production of text books and educational aids.

9. With a view to greater coordination and effectiveness of the activities of the EAU countries, it would be advisable to establish a State committee (ministry) for EAU affairs in each of them.

10. At the ministerial level of the EAU countries, regular meetings and consultations would be held on questions of healthcare, education, labour and employment, the environment, culture, crime control and so forth.

11. Promotion of the activity of non-governmental organizations in various areas of cooperation in accordance with the national legislations of the EAU member countries.

12. The official language of EAU, and of the operation of national language legislations would be the Russian language.

13. Citizenship. Free movement of citizens within the borders of EAU requires a coordination of foreign visa policy in relation to third countries. When changing the country of residence within EAU, individuals at their request would automatically receive the citizenship of the other country.

14. The capital of EAU could be one of the cities on the boundary between Europe and Asia, for example, Kazan or Samara.

II. Economy

15. In order to establish a single economic area within EAU, it is proposed that a number of supranational coordinating structures should be formed:

(a) A commission on economics attached to the EAU council of heads of State which would work out basic directions for economic reforms within EAU, taking into account the interests of national States, and submit them for approval by the EAU Council of Heads of State;

(b) A commission on the raw material resources of EAU exporter countries for the purpose of coordinating and establishing prices and

quotas for exported raw materials and energy products, and signing an appropriate inter-State agreement. The coordination of policy in respect of the mining and sale of gold and other precious metals;

(c) A fund for economic and technical cooperation, formed with contributions from the EAU countries. The fund would finance long-term, science-intensive economic, scientific and technical programmes and provide assistance in resolving a broad range of questions, including legal, tax, financial, environmental and other questions;

(d) A commission on inter-State financial and industrial groups and joint enterprises;

(e) An EAU international investment bank;

(f) EAU inter-State arbitration on economic questions, resolving disputes by legal means and imposing fines;

(g) A commission on the introduction of a monetary unit (the transferable rouble).

III. Science, culture, education

16. A number of measures are proposed to preserve the potential achieved over the past decades and strengthen integration in this area:

(a) The establishment of common EAU research centres for basic research in the area of modern knowledge;

(b) The establishment of a fund for the development of scientific research by EAU which would bring together the scientific communities of the different countries;

(c) The establishment of a committee on links in the areas of culture, science and education attached to the EAU Council of Heads of Government;

(d) Assistance in the establishment of non-governmental associations and unions in the cultural, educational and scientific spheres;

(e) Establishment of a scholarship fund attached to the EAU executive committee.

IV. Defence

17. It is proposed that the following agreement should be concluded within the framework of EAU: a treaty on joint action to strengthen the national armed forces of the EAU member countries and protect the external borders of EAU.

18. EAU presupposes the establishment of a single defence area in order to coordinate defence activity:

(a) The formation of collective peace-keeping forces of EAU to maintain stability and eliminate conflicts within member countries and between them. With the consent of the EAU member States, and in accordance with international legal norms, peace-keeping forces would be sent to areas of conflict within the territory of EAU;

(b) A collective application by the EAU member countries to international organizations, including the United Nations Security Council, for the joint contingent to be given the status of peace-keeping forces;

(c) The establishment of an inter-State centre on nuclear disarmament problems with the participation of representatives of international organizations.

19. All EAU States except for Russia would maintain their non-nuclear status.

V. Environment

20. In the near future, the following mechanisms need to be established:

(a) An environmental fund attached to the EAU Council of Heads of State which would carry out environmental programmes and would be financed by all member States, within the framework of EAU;

(b) Coordination of activities with international organizations to reduce the level of environmental pollution;

(c) Adoption of short- and long-term programmes on major problems of restoration of the environment and elimination of the consequences of environmental disasters (Aral, Chernobyl, and Semipalatinsk nuclear testing range);

(d) Adoption of an EAU inter-State agreement on the storage of nuclear wastes.

History is giving us a chance to enter the twenty-first century by a civilized route. In our view, one means is the achievement of the potential for integration of the initiative to establish a Eurasian Union, reflecting the objective logic of the development of the post-Soviet area and the desire for integration of the peoples of the former Union of Soviet Socialist Republics.

N. Nazarbaev
President of the Republic of Kazakhstan

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/49/188
23 June 1994

ORIGINAL: ENGLISH

Forty-ninth session
Items 104 (b) and 146 of the
preliminary list*

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

Letter dated 22 June 1994 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to enclose herewith the text of a letter from His Excellency Dr. Ali-Akbar Velayati, Minister for Foreign Affairs of the Islamic Republic of Iran, addressed to you (see annex).

It would be highly appreciated if the present letter and its annex were circulated as a document of the General Assembly under items 104 (b) and 146 of the preliminary list.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

* A/49/50/Rev.1.

ANNEX

Letter dated 22 June 1994 from the Minister for Foreign Affairs of the Islamic Republic of Iran addressed to the Secretary-General

I am sure that you have already been briefed about the 20 June terrorist bomb blast at the holy shrine of Imam Reza in Mashhad. I would like to bring the following to your attention in this regard.

This heinous criminal act of blind terrorism occurred in the early afternoon hours of Ashura, one of the holiest days in our calendar, as thousands of pilgrims, coming from all across Iran as well as from other Muslim countries, congregated in this holy sanctuary. The massive explosion caused the martyrdom of at least 26 and the severe injury of 170 innocent pilgrims, including many children, elderly and women, as well as serious damage to the mausoleum, which is the holiest Muslim shrine in the country as well as a masterpiece of Islamic art and architecture.

Available evidence indicates that the infamous terrorist and mercenary group MKO, the so-called Mojahedin-e Khalq Organization, planned and carried out this murderous atrocity, adding yet another shameful carnage to its dark record of pervious terrorist activities ranging from hijacking and assassinations to arbitrary murder and torture of ordinary Iranian citizens to active complicity in the 1991 suppression of the Iraqi Kurdish and Shiite population.

Regrettably, despite the politically charged international campaign against terrorism, the application of double standards and the failure of a number of apparent advocates of this campaign to curb the activities of this terrorist group inside their own territories has not only encouraged the continuation of such acts of blind terrorism, but also brought their own commitment to combat this international menace into serious question.

It should be recalled that the General Assembly, in its resolution 48/122 of 20 December 1993, "urge[d] the international community to enhance cooperation in the fight against the threat of terrorism at national, regional and international levels". Furthermore, the Eleventh Ministerial Meeting of the Movement of Non-Aligned Countries, held at Cairo, urged that this international campaign should be directed without discrimination or double standards against "terrorism wherever, by whoever and against whomever it occurs".

It is thus the responsibility of all States to live up to their international commitments in our common endeavour to eradicate terrorism by not only condemning this cowardly act of inhumanity, but also investigating whether their official institutions, their nationals or their territories were used by this terrorist organization for the commission, planning, financing, instigating

or supporting of this crime, and take appropriate and effective measures accordingly.

Ali-Akbar VELAYATI
Minister for Foreign Affairs of
the Islamic Republic of Iran